

REMARKS / ARGUMENTS

In the above-identified Office Action the Examiner has rejected claims 1, 26 and 27 as based on a disclosure which is not enabling. The Examiner has stated that the foam structure is critical to the practice of the invention but not included in the claims and, thus, not enabled. Applicant has amended Claim 1 so that it now states that the fibrous web contains a foam structure and the foam structure has a free volume of more than 60%. As such, Applicant believes that claims 1, 26, and 27 are now enabled by the disclosure and, as such, acceptable.

Claims 1, 26 and 27 have also been rejected as anticipated by or, in the alternative, obvious over the European patent to Cox et al. The Examiner has stated that in Cox et al. the amount of expanded microspheres in the web is, in general, 10 to 60% volume percent and the free volume of the web, in Cox et al., is thus greater than 60%. As stated above, Applicant has amended Claim 1 so that it now recites that the web contains a foam structure, with the foam structure having a free volume of more than 60%. Cox et al. clearly does not teach that his foam structure is greater than 60% and, accordingly, Applicant believes that the claims are not taught by, or not obvious in view of, the European patent to Cox et al.

Applicant hereby requests reconsideration and reexamination thereof.

No further fee or petition is believed to be necessary. However, should any further fee be needed, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition.

With the above amendments and remarks, this application is considered ready for allowance and applicant earnestly solicits an early notice of same. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of

Application No. 10/529,436
Amdt. dated 10 November 2010
Reply to Office Action of 12 October 2010

the subject application, he/she is respectfully requested to call the undersigned at the below listed number.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald T. Shekleton". The signature is fluid and cursive, with the first name "Gerald" being more prominent and the last name "Shekleton" following in a similar style.

Dated: 10 November 2010

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